

RECEIVED
CENTRAL FAX CENTER

APR 20 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/679,963
Applicants : Gene Mason et al.
Filed : October 6, 2003
TC/A.U. : 3736
Examiner : Matthew J. Kremer

Title : OPTICAL PROBE
INCLUDING
PREDETERMINED
EMISSION WAVELENGTH
BASED ON PATIENT TYPE

Docket No. : MASIMO.353A
Cust. No. : 20,995

Confirmation No. : 3580

Certificate Of Fax Transmission

I hereby certify that this correspondence and
all marked attachments are being transmitted
via facsimile to the USPTO Central Fax No.
(703) 872-9306 on the date shown below:

March 23, 2005

(Date)

John M. Grover, Reg. No. 42,610

Box AF

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION
DATED DECEMBER 23, 2004

Sir:

In response to the Office action of December 23, 2004, please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which
begins on page 2 of this paper.

Remarks begin on page 5 of this paper.